

**DISTRICT ADVISORY BOARD MINUTES
DISTRICT I**

July 17, 2000

7:00 p.m.

Atwater Community Center, 2755 E. 19th

Members Present

Council Member Rogers
Carl Brewer
Patrice Dolenz
Kenneth Hemmen
David Franks
Carrie Jones
Lori Lawrence*
Debby Moore
Sharon Myers
Steve Roberts*
Marcia Traylor

Members Absent

Edith Knox*
Lois Tully-Gerber
Rev. Lincoln Montgomery*
Billy Wilson
Willard Walker*
Dee Wright
Ken Woodard*

Guest List

Jeff Krenbiel, 455, N Main
Craig Davidson, 141 S Erie
Rachel Murphy, 401 S Chautauqua
Don Murphy, 401 S Chautauqua
Janet Flener, 411 S Chautauqua
Wanda Wilson, 305 S Lorraine
Charles Wilson, 305 S Lorraine
Louise Armstrong, 357 S Lorraine
Judy Loagnbill, 215 S Erie
Karen Fee, 224 S Poplar
Donna Rubideau, 206 S Poplar
Chris Farha, 350 S Volutsia
Warren Farah, 350 S Volutisa
Officer C. Seang, 3015 E 21st Street
Officer K. Lee, 3015 E 21st Street
Jeff Jantz, 427 S. Chautauqua
Linda Doll, 737 S Lorraine
Lisa Van de Water, 455 N Main, Planning Department
Dale Miller, 455 N Main, Planning Department
Joseph T. Pajor, 455 N Main,
Larry Henry, 1801 S McClean
Barbara Melzer, 319 S Estelle
LuAnn Dove, 311 S Lorraine
Jay Newton, 455 N Main,
Tom Weilert, 345 S Poplar
Margaret Weilert, 345 S Poplar
Ted Uhlenhop, 222 S Chautauqua
Arturo Garcia, Wichita Eagle
Fred Mars, 322 S Fountain
Norma Smith, 2427 Menlo
Brian Broas, 309 S Lorraine
Cindy Broas, 309 S Lorraine
Dorothy Nave, 1802 Looman
Bill McCat, 407 S. Green
Tim Bynum, 418 S Green
Gary Wiley, 303 S Topeka

*Denotes District Advisory Board Alternates

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Guest List (continued)

Carol Fox, 250 S Erie
Tom Fox, 250 S Erie
Bev Aude, 341 S Hillside
Don Aude, 341 S Hillside
Amanda Homes, 402 S Chautauqua
Kay Ward, 3107 E English
Officer B. R. Sigman, 539 S Water
Officer J. Andres, 539 S Water
Lynn Wasinger, 324 N Chatauqua
Chris Gordon, 240 N Lorraine
Kelly Gordon, 240 N Lorraine
Gary Snyder, 7701 E Kellogg, Plaza Real Estate, Agent
Floyd Perry, 317 S Erie
Karen Bratrude, 204 S. Chatuaqua
Joan M. Childers, 222 N Kansas
Treatha Foster, 2211 N Kansas, President, Northeast Milair
Jo Lewis, 2237 N Kansas
Dayna Rosenceitte, 341 S Lorraine
Mikel Dove, 311 S Lorraine
Willie Burton, 2356 N Poplar, President, Matlock Heights

ORDER OF BUSINESS

Call to Order

Council Member Rogers called the meeting to order at 7:10 p.m.

Approval of Minutes

Carl Brewer (Carrie Jones) moved that the minutes from the June 5, 2000 DAB Meeting be accepted. The meeting minutes were unanimously accepted.

Approval of Agenda

Brewer (Marcia Traylor) moved that the July 17, 2000 agenda be accepted. The agenda was unanimously accepted.

Public Agenda

Norma Smith, 2427 Menlo, President of Schweiter Neighborhood Association, presented concerns regarding parking on Green Street. Schweiter Neighborhood Association boarders are from I-135 to George Washington Boulevard and from Lincoln to Harry Streets. Currently there are four (4) main entrance to the Schweiter Neighborhood; one of which is Green Street. Green Street just north of Harry Street currently allows parking on both sides of the street, which, as **Smith** presented, makes two-way traffic on Green very difficult, due to the narrow street.

Smith mentioned that several years ago the Neighborhood Association had spoken with the City Traffic Department to assist with the neighborhood's parking concerns. The solution, at that time, resulted in a no parking zone on both east and west sides of Green, from Harry to Wilma. However, that parking band was lifted after residents on the east and west sides of Green Street submitted a petition to the traffic department to have the parking reinstated. **Smith** mentioned that the stop sign only sits twenty-four (24) feet from the curb (rather than the regulation requirement of thirty-six (36) feet) at Harry and Green Streets, thus further impacting navigation of through this intersection.

Smith stated that the Schweiter Neighborhood Association would like to see "no parking" on at least one side of the street to aid in alleviating traffic congestion at this intersection.

Council Member Rogers advised **Smith** that the DAB would take this matter under advisement and consider the possibility of instituting a parking band on at least one side of Green Street.

Treatha Foster, 2211 N Kansas, President of Northeast Milair Neighborhood Association, presented concerns on behalf of her association regarding the Old Heart Springs building at 21st Street. **Foster** stated that the property has not been maintained; grass is not being cut, windows are being broken and not repaired, or border up. **Foster** stated that drug activity seemed to be present as well. **Foster** also mentioned that the Northeast Milair Neighborhood Association had requested to use the building facilities and had been denied. **Foster** inquired as to what the City's intentions with the building and property were.

Council Member Rogers assured **Foster** that he would investigate the situation regarding the lack of up-keep on this building. In regards to the plans for the old Heart Springs building, **Rogers** mentioned that plans for that building are in process. At this point details are too numerous to mention. **Rogers** also stated that he would follow up on this matter by contacting the appropriate departments to make sure the building was maintained.

Unfinished Business

Willie Burton, 2356 N Poplar, President of Matlock Heights Neighborhood Association, was present to have additional questions answered regarding the proposed bike path from Grove Park to McAdams Park. **Burton** express that he felt his question regarding the bike path had not been addressed. After restating his question, which was, "Is a new bike path in preparation?"

Council Member Rogers assured **Burton** that the information provided had addressed his question as to whether or not KDOT had considered the bike path with its construction of the I-135 and 21st Street interchange.

Information from the report concerning the Grove/McAdams Parks Bike Path is as follows:

There is currently no bike path crossing I-135 that would be impacted by the I-135 project. There has been some discussion about connecting Grove Park (33rd and Grove) to the bike path system using New York Street and the box under I-135. This route is not currently acknowledged as a bike path nor does it officially connect to McAdams Park. Adding an unnecessary requirement such as having KDOT preparing for construction of a bike path may only drag out the I-135 construction time.

Such a path is on the long-term bike path plan, but no funding is in place to construct this path at this time. Last year, Planning employed a consulting firm to look at alternative routes to make the connection between the two parks and then submitted the project to the Kansas Department of Transportation for possible federal aid funding. Unfortunately, funding for the project was not approved.

DAB member, **David Franks**, explained that this bike path was one of many project proposals that were submitted to KDOT for federal funding. Funding was awarded to another project.

Council Member Rogers commented that he has made additional inquiries into this matter, and is waiting to receive information.

Council Member Rogers stated he would provide **Burton** with the information as soon as the information is available. **Council Member Rogers** asked **Burton** to keep in mind that the bike path is still included in the City's long-term plans.

Planning Cases

Case No.: PUD 2000-00002

Request: Creation and approval of the Security Self-Storage Planned Unit Development for a self-service storage warehouse.

Applicant Agent: Stan Chilton (Owner/Applicant); Gary Snyder (Agent); Security Self Storage, c/o Bill Ard (Contract Purchaser); PEC, P.A. c/o Gary Wiley (Agent)

Location: The Southwest corner of Hillside and Lewis

Lisa Van de Water, City Planner assigned to this case, briefly described this case to the DAB members and the public present. **Van de Water** stated that is was the Planning department's recommendation to grant the PUD under conditions listed in the staff report.

DAB members heard numerous concerns from citizens regarding the proposed zoning changes. Members of East Front Neighborhood Association, Sunnyside Neighborhood Association and College Hill Neighborhood Association were present to voice their concerns regarding the proposed implementation of the PUD for this facility. Neighborhood concerns and opposition to the PUD were expressed by East Front Neighborhood Association President, **Tom Fox** and included the following reason to oppose the PUD: 1) Increase crime due to the storage facility; 2) Inadequate room on Lewis Street, Chatuaqua Street, and Lorraine Street for truck traffic due to the streets being narrow (only twenty-five (25) feet wide); 3) Increased traffic on Hillside, Lewis Street, Chatuaqua Street, and Lorraine Street due to North bound customers in ability to enter the storage facility from Hillside (if northbound)/Traffic Safety; 4) Concerns for safety of the neighborhood children (with increase traffic generated by this business); 5) Storage Buildings would detract from the beauty of the neighborhood; 6) Allowing the Storage facility to be built would destroy the existing sound barrier of trees; 7) Effecting the storage facility would defeat the purpose with the Greening of Wichita project; 8) This project is not in line with the City's CIP; and 9) 320 area residents have signed a petition stating they do not want the facility in the neighborhood.

Following lengthy neighborhood feedback and questions from DAB members, **Council Member Rogers** turned the meeting over to the first pro-tem. **Brewer** acknowledge and thanked the public for their feedback and voicing concern. Being no additional questions from the DAB members, **Brewer** then polled members to see who was in favor of the Planning Department's recommendation to grant Self Storage the PUD. One (1) DAB member voted in favor of the

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proposed PUD (**Traylor**). Six DAB members (6) opposed (**Franks, Moore, Jones, Myers, Hemmen, Dolenz**).

Note: Two (2) DAB alternates present (**Lori Lawrence and Steve Roberts**)

Brewer turned the meeting back over to **Council Member Rogers**. **Council Member Rogers** reminded DAB members to write down their reasons for opposition based on what was listed on the "Golden Rules" Worksheet. **Council Member Rogers** also reminded DAB members that there had to be additional reasons (other than opposition from neighborhood residents) for recommendation to deny the PUD.

New Business

1. Backyard Drainage Policy

The proposed Policy sets forth requirements to ensure proper drainage prior to occupancy of structures. Prior to this policy, nothing existed to enforce adequate drainage plans in builder designs. **Chris Carrier**, City staff, stated that this new policy, which is a consensus document between the builders, the City, and the County, should aid in first time buyers accurate drainage on their new home. The problem that many homeowners face now is an alteration in the property elevation that does not drain adequately, or at all; causing the resident to incur flood repair costs at their own expense. This consensus document should help to alleviate these types of problems for buyers of new properties, by requiring the builders to provide detailed drainage plans prior to building a residence. The agreement also helps purchasers verifying that the drainage plan is as stated.

DAB member **Jones** commented that she was glad to see something being done to protect homebuyers.

Council Member Rogers asked for a motion to receive and file the information presented on Backyard Drainage. (**Moore**)

2. Management of City Solid Waste and Storm Debris after Brooks Landfill Closes

City staff member **Joe Pajor**, provide an update *on the impact citizens of Wichita after the closing of Brooks Landfill on October 9, 2001, regarding solid waste and storm debris with a brief re-cap of the presentation he had made before a City Council workshop session. The main points of the presentation focused on 1) Brooks Landfill Schedule; 2) City Operational Waste Generation; 3) Present and Future Disposal Systems; 4) Impact on Disposal Cost; 5) Storm Waste Management; 6) Policy Issues and 7) Evaluation of Disposal Alternatives.

Pajor stated that currently, the City in an average year generates 77,920 tons of waste per year and is spending \$ 44,000.00 annually in Waste Disposal. There is an additional 2,200 tons per year that is recycled. This is mostly due to the disposal of trees and tree limbs. Disposal costs for other activities that generate waste such as Street Sweepings, Construction and Demolition (C & D), Municipal Sewer and Water (MSW) and Storm Debris, are covered in the tipping fee.

Council Member Rogers asked what the city has been paying for waste disposal, about \$ 26.00 per ton. **Pajor** said that amount was fairly accurate. **Pajor** mentioned that a conservative increase estimate would be between \$ 36.00- \$ 38.00 per ton.

After the Brooks closing, **Pajor** estimates that the total cost of waste disposal could average \$ 1,986,000.00 - \$ 3,481,000.00 per year if the City has to depend on the private sector. Waste management practices will have to change. Disposal costs for normal City operations may increase by up to \$3,505,000 (1.95 mil) if the private alternatives are used. Disposal costs for storm waste in a year of severe weather may increase by up to \$ 1,685,000.00 (62%) (0.94 mil) if the private alternatives are used.

Council Member Rogers commented that the private sector does not have the public's interest in mind, therefore, cost of waste disposal to citizens could significantly increase. **Council Member Rogers** also added that the citizens of Wichita contribute a significant amount of money to the county budget via taxes, and only two percent of the county budget is actually spent in Wichita.

DAB member, **David Franks** inquired if the city had given away its ability to bargain. **Franks** also asked if this was dependent on hauling to get a better rate and also wondered if the city would be able to have a compost center and a recycling site.

Both **Council Member Rogers** and **Pajor** stated that the Waste Management comes under the Sedgwick County, therefore, due to established guidelines, the city is only allowed to have a Construction and Demolition disposal site.

Pajor listed alternative approaches that include 1) Private facilities; 2) City owned and operated for City use only; 3) City owned and operated and open to the public and 4) City owned and contractor operated and open to the public. Several items were taken into consideration. These items are listed in detail in the presentation packet.

Pajor also discussed the City Construction and Demolition Landfill Cost and Revenue Model which focused on 1) Operating Inputs; 2) Income inputs; 3) Expense Inputs and 4) Economic Results.

Economic Results outcomes of a C & D Landfill include 1) Revenue from a Construction and Demolition landfill being sufficient to pay for all of its expenses and the three additional existing programs; 2) The City will avoid new costs of \$3.5 million per year; and 3) The public will be assured of disposal capacity and reasonable prices for Construction and Demolition.

Foster was unclear how citizens would be effected by the Brooks Landfill closure. **Pajor** explained that all city activities, such as street sweeping generate trash. The City needs to determine how the trash will be disposed of. The city is considering waste management alternatives to try to minimize cost so that the citizen's cost does not increase.

Lynn Wasinger, 324 N Chatauqua, asked if the Neighborhood Clean-up Program would be effected by the Landfill closure. **Wasinger** also asked if the city would still have jurisdiction over the trash for the Neighborhood Clean-up program. **Pajor** stated that containers and pick-up for Neighborhood Clean-ups are included in the plan, and the city had jurisdiction on waste generated from such an event.

There were no additional comments from the DAB members. Information will be filed.

*A summary packet of information regarding the Waste Disposal Workshop was distributed.

3. **Wireless Communication Master Plan**

Marvin Krout, City Staff, made a presentation* regarding this plan. The wireless communication Master plan and associated changes to the City's zoning code, will revise the procedures by which companies that offer wireless services (such as cell phones, pcs, and wireless internet access) site their antennas and associated equipment in the community.

Krout mentioned that with technology changing so rapidly, this policy would have to be reviewed every two to three years. There has to be a demonstrated need for the towers before additional towers are built. Due to the growth in technology, there is now a demand for more communications antennas/towers to support the volume of customers using a variety of media (listed above). In his presentation, **Krout** stated that from an economic stand point, we need to try to assist in promoting this technology without having to erect 180 foot towers at the end of every neighborhood.

Krout commented that this gives the city more opportunity to find alternatives to camouflage the towers by locating them existing structures such as on light poles, buildings, existing towers, etc. **Krout** mentioned that a detailed plan and pictures may be found on the city's website, version five of the *Master Plan*. A task force has been established with Wichita Independent Neighborhoods (WIN) and Industry Neighborhoods. However, the more demand increases the closer the towers may get to residential neighborhoods.

District I resident, **Wasinger**, made the comment that she had served on the site council for this project. One point raised from this council was a safety issue; in particular, children climbing on the towers. **Krout** stated that this issue had been included in the site plan review.

DAB member **Jones** asked if the Planning Commission was still having hearing on this issue. **Krout** replied that this plan goes before the Planning Commission again on July 27, 2000. **Krout** also stated if there were additional questions regarding this matter, DAB members could call **Marion** or **Scott Keniabel**.

*A summary packet of information regarding the Wireless Communication Master Plan was distributed.

4. **Fireworks Complaint Calls**

Currently, there are two main issues in regards to fireworks complaint calls in the City of Wichita: 1) Illegal fireworks (basically those that go higher than 6 feet in the air and further than 6 feet in diameter); and 2) Noise (shooting of fireworks, even the legal ones, go into the night past the 10:00 p.m. noise ordinance and carry on for days). Background information:

- State Statute does not allow fireworks to be sold before the 27th day of June and after the 5th day of July.
- **City ordinance allows non-permitted display of "novelty" items (e.g., ground and hand-held sparkling and smoke devices, cylindrical fountains, cone fountains, illuminating torches, and wheels). Novelty items generally do not go beyond an area 6 feet high and 6 feet in diameter.** All other fireworks (referred to as "Consumer" and "Display" Fireworks) require permits for display. Display Fireworks also require the operator to have a pyrotechnic operator license. Those fireworks confiscated by the Fire Department this year were Consumer Fireworks, not legal for private use within the city limits.
- All fireworks stands within the city limits must also be permitted and are closely regulated by the Fire Department.
- Consumer and Display Fireworks, illegal to be sold or used without a permit within Wichita, are commonly purchased in outlying communities and brought inside the city limits for display by citizens. The majority of complaints to the Fire Department were in regard to these illegal fireworks due to their airborne nature (e.g., bottle rockets and certain Roman Candles). A Haysville citizen was seriously injured this year in an accident involving a Class B commercial (Display) firework.
- Police cannot feasibly respond to the numerous "noise" complaint calls. There is complete disregard (and probably some ignorance) of the noise ordinance which especially restricts excessive noises between 10:00 p.m. and 8:00 a.m.

Council Member Rogers stated that he and several other Council Members fielded numerous complaints from citizens regarding fireworks during the week that the fireworks were allowed. The three most common complaints that **Council Member Rogers** heard were 1) Police were unable to regulate the ordinances due to the volume of calls and/or reporting party would not identify person using the fireworks; 2) People were using illegal fireworks and 3) Fireworks were creating excessive noise.

Council Member Rogers stated that the nature of the items indicated the possibility for accidents. Bottom line is that the police can not do much in the way of disciplining your children; we have to start telling this to citizens.

Franks commented that he couldn't discipline other people's children.

Council Member Rogers replied that if citizens make reports about the fireworks, they need to be willing to give names to the officers. This is not a government responsibility to discipline children.

Foster stated that she went up to Patrol North to file a report and was unsatisfied with the way her concern was handled. **Foster** stated she felt the officers had been unresponsive. **Foster** stated that she had complied with what the Police Department had requested, by coming down to the station and completing a police report. **Foster** has taken this concern to the Chief of Police and spoke with a secretary in that office. **Foster** mentioned that this complaint had been made on or around July 7th or 8th at about 11:00 p.m.

Council Member Rogers recommended police enforcement of the fireworks ordinance and that he would follow-up on the matter.

DAB member **Jones** suggested that **Foster** would be more effective by going through her neighborhood association. **Jones** stated that the neighborhood association could do some self-enforcement.

Foster commented that the neighborhood association had already gone door-to-door with this and other information, but some of the association members were still unresponsive.

Council Member Rogers requested **Foster** to submit, in writing, a list of concerns from the Northeast Milair Neighborhood Association so that he may follow-up with their concerns.

Jones suggested that **Foster** and the Neighborhood association express these concerns to their Community Policing Officers so the officers will be able to make an extra effort to patrol the areas of concern. **Jones** asked the date of the next association meeting so that she could contact **Captain Dotson** and asked that he attend the association meeting.

Council Member Rogers thanked **Foster** and other members of the Northeast Milair Neighborhood Association for attending the DAB meeting and making their concerns known.

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Board Agenda

No items were submitted.

Being no further business, **Moore (Brewer)**, moved to adjourn the meeting at 10:00 p.m.

Submitted By,

Heidi Framer-Drew
Neighborhood Assistant,
Council District I